



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 MAR 31 AM 9:12

March 30, 2015

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *EUP for*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *for PCO*
Assistant Staff Director
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Sari Pickerall *JP*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation - 2014 30 Day Post-General Report
(Unauthorized Filers) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2014 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). The list is comprised of unauthorized committees that failed to file or timely file the 2014 30 Day Post-General Report.

The committees appearing on the 30 Day Post-General Report list either failed to file the report, after the due date but within thirty (30) days of the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. § 111.43, these committees should be assessed the civil money penalties indicated in the attachment.

In order to determine the level of activity for unauthorized quarterly filers that failed to file or failed to timely file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2014 through November 24, 2014 (55 days),

was reviewed for activity which would have required the filing of a 12 Day Pre-General Report (12 Day Report). If our research indicated that the filing of a 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 27% (15 days (12G Filing Period)/55 days (30G Filing Period)). The committees identified through this process as failing to file or failing to timely file the 12 Day Report were included in the Reason to Believe Recommendation circulated to the Commission on March 30, 2015. If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will also be assessed a fine for the 30 Day Report based on the estimated levels of activity described above and are included on the attached list.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2014 POST-GENERAL Not Election Sensitive 12/04/2014 UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2924	C00388157	AMERICAN COMPOSITES MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE		TOM DOBBINS	\$121,785	0	12/17/2014	13	\$8,500	\$120
2925	C00398800	AMERICAN LIGHTING ASSOCIATION POLITICAL ACTION COMMITTEE		RICHARD D UPTON	\$124,395	0	1/12/2015	Not Filed	\$454	\$275
2926	C99002396	AMERICAN POLITICAL ACTION COMMITTEE		J.H.VERSNEL	\$384,311	0	1/6/2015	Not Filed	\$16,026	\$550
2927	C00420125	CHIANG PATEL AND YERBY INC PAC		DAVID W. HAYS	\$186,027	2	12/23/2014	19	\$12,250	\$307
2928	C00455741	DEEP BLUE		ROBERT MONSOUR	\$131,814	0	12/26/2014	22	\$59,990	\$2,365
2929	C00176420	DEMOCRATIC FOUNDATION OF ORANGE COUNTY		GLEN HATTON	\$268,359	0		Not Filed	\$42,187 (est)	\$1,090
2930	C00212308	DUCHOSSOIS GROUP PAC		MICHAEL E. FLANNERY	\$114,014	0	1/21/2015	Not Filed	\$1,768	\$275
2931	C00208249	EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE		LARRY JAY WILLIAMS	\$164,886	0	1/30/2015	Not Filed	\$9,850 (est)	\$330
2932	C00522821	EMPOWER CITIZENS NETWORK		ROBERT WAYNE WARTHER	\$102,072	0		Not Filed	\$20,414 (est)	\$550
2933	C00432930	FISCAL LEADERSHIP AND KNOWING ECONOMICS PAC		HIEU TRAN	\$660,472	0	12/10/2014	6	\$69,034	\$885
2935	C00354613	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE		MARTIN MASCUILLI	\$137,155	2	1/28/2015	Not Filed	\$14,773	\$825
2936	C00534529	MEDICINAL CANNABIS SUPERPAC		JOSEPH CHARLES HOUSTON	\$112,885	0		Not Filed	\$507 (est)	\$275
2937	C00431429	MVP HEALTH CARE INC. FEDERAL PAC		JORDAN T. ESTEY	\$117,284	0	12/15/2014	11	\$7,069	\$110

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2938	C00113811	NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION POLITICAL ACTION COMMITTEE (NECAPAC)		TRACI M. PICKUS	\$2,765,656	0	12/29/2014	25	\$73,687	\$2,642
2939	C00024281	NORTH AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE		PETE THOMSON	\$370,483	0	12/23/2014	19	\$4,379	\$122
2940	C00568246	OUR VOICES MATTER		CHARLES PASCAL THOMAS FREILING	\$100,037	0		Not Filed	\$100,037 (est)	\$4,950
2941	C00509489	PATRIOT SUPER PAC		THOMAS FREILING	\$116,793	1		Not Filed	\$23,359 (est)	\$687
2942	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		MARK R. PERMAR	\$233,108	1	1/30/2015	Not Filed	\$16,087 (est)	\$687
2943	C00568170	PRIORITIES FOR IOWA POLITICAL FUND		SARA CRAIG	\$2,499,429	0	12/17/2014	13	\$262,093	\$4,100
2944	C00406553	PROGRESSIVE VOTERS OF AMERICA		F. PHILIP FIERMONTE	\$915,165	0	1/30/2015	Not Filed	\$40,189	\$1,090

2946	C00349225	SPINE PAC OF THE NATIONAL ASSOCIATION OF SPINE SPECIALISTS		ERIC J. MUEHLBAUER	\$301,251	0	1/7/2015	Not Filed	\$10,710	\$550
2947	C00497842	STRATEGY PAC		JAMES MALCZEWSKI	\$665,172	0	12/10/2014	6	\$58,787	\$885
2948	C00555508	TAKEOVER SUPER PAC		THOMAS FREILING	\$102,224	0	1/16/2015	Not Filed	\$1,986	\$275
2949	C00132480	TAXICAB LIMOUSINE & PARATRANSIT ASSOCIATION POLITICAL ACTION COMMITTEE (TLPA PAC)		ALFRED B. LAGASSE III	\$103,283	0	12/29/2014	25	\$5,920	\$180

2951	C00404137	UNIVERSITY PUBLIC ISSUES COMMITTEE AKA UPIC		PAUL T. SCHULTZ	\$198,252	0	12/19/2014	15	\$2,000	\$102
2952	C00381699	USINPAC		SANJAY K. PURI	\$109,300	0	1/15/2015	Not Filed	\$6,006 (est)	\$330

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2014)
30 Day Post-General Report (Unauthorized)
Filers) for the Administrative Fine Program:)
AMERICAN COMPOSITES) AF# 2924
MANUFACTURERS ASSOCIATION)
POLITICAL ACTION COMMITTEE, and)
TOM DOBBINS as treasurer;)
AMERICAN LIGHTING ASSOCIATION) AF# 2925
POLITICAL ACTION COMMITTEE, and)
RICHARD D UPTON as treasurer;)
AMERICAN POLITICAL ACTION) AF# 2926
COMMITTEE, and VERSNEL, J.H. as)
treasurer;)
CHIANG PATEL AND YERBY INC PAC,) AF# 2927
and DAVID W HAYS as treasurer;)
DEEP BLUE, and ROBERT MONSOUR as) AF# 2928
treasurer;)
DEMOCRATIC FOUNDATION OF) AF# 2929
ORANGE COUNTY, and HATTON,)
GLEN as treasurer;)
DUCHOSSOIS GROUP PAC, and) AF# 2930
FLANNERY, MICHAEL E. as treasurer;)
EMPIRE DISTRICT ELECTRIC) AF# 2931
COMPANY POLITICAL ACTION)
COMMITTEE, and LARRY JAY)
WILLIAMS as treasurer;)
EMPOWER CITIZENS NETWORK, and) AF# 2932
ROBERT WAYNE WARTHER as)
treasurer;)
FISCAL LEADERSHIP AND KNOWING) AF# 2933
ECONOMICS PAC, and TRAN, HIEU as)
treasurer;)

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Federal Election Commission
Certification for Administrative Fines
April 01, 2015

INT LONGSHOREMENS ASSOC (ILA)) AF# 2935
LOCAL 1291 POLITICAL ACTION)
COMMITTEE, and MARTIN MASCUILLI)
as treasurer;)
MEDICINAL CANNABIS SUPERPAC,) AF# 2936
and JOSEPH CHARLES HOUSTON as)
treasurer;)
MVP HEALTH CARE INC. FEDERAL) AF# 2937
PAC, and ESTEY, JORDAN T as treasurer;)
NATIONAL ELECTRICAL) AF# 2938
CONTRACTORS ASSOCIATION)
POLITICAL ACTION COMMITTEE)
(NECAPAC), and PICKUS, TRACI M.)
MRS. as treasurer;)
NORTH AMERICAN MEAT INSTITUTE) AF# 2939
POLITICAL ACTION COMMITTEE, and)
THOMSON, PETE MR. as treasurer;)
OUR VOICES MATTER, and CHARLES) AF# 2940
PASCAL as treasurer;)
PATRIOT SUPER PAC, and FREILING,) AF# 2941
THOMAS as treasurer;)
PLUMBERS AND PIPEFITTERS LOCAL) AF# 2942
UNION 74, and MR MARK R PERMAR as)
treasurer;)
PRIORITIES FOR IOWA POLITICAL) AF# 2943
FUND, and SARA CRAIG as treasurer;)
PROGRESSIVE VOTERS OF AMERICA,) AF# 2944
and FIERMONTE, F. PHILIP as treasurer;)

SPINE PAC OF THE NATIONAL) AF# 2946
ASSOCIATION OF SPINE SPECIALISTS,)
and MUEHLBAUER, ERIC J. MR. as)
treasurer;)
STRATEGY PAC, and MALCZEWSKI,) AF# 2947
JAMES as treasurer;)
TAKEOVER SUPER PAC, and THOMAS) AF# 2948
FREILING as treasurer;)
TAXICAB LIMOUSINE &) AF# 2949
PARATRANSIT ASSOCIATION)
~~POLITICAL ACTION COMMITTEE)~~
(TLPA PAC), and ALFRED B LAGASSE)
III as treasurer;)

11/14/2015 10:00:00 AM

the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2927 Decided by a vote of 6-0 to: (1) find reason to believe that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2928 Decided by a vote of 6-0 to: (1) find reason to believe that DEEP BLUE, and ROBERT MONSOUR as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2929 Decided by a vote of 6-0 to: (1) find reason to believe that DEMOCRATIC FOUNDATION OF ORANGE COUNTY, and HATTON, GLEN as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2930 Decided by a vote of 6-0 to: (1) find reason to believe that DUCHOSSOIS GROUP PAC, and FLANNERY, MICHAEL E. as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2931 Decided by a vote of 6-0 to: (1) find reason to believe that EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE, and LARRY JAY WILLIAMS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2932 Decided by a vote of 6-0 to: (1) find reason to believe that EMPOWER CITIZENS NETWORK, and ROBERT WAYNE WARTHER as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

UNCLASSIFIED

AF#2939 Decided by a vote of 6-0 to: (1) find reason to believe that NORTH AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE, and THOMSON, PETE MR. as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2940 Decided by a vote of 6-0 to: (1) find reason to believe that OUR VOICES MATTER, and CHARLES PASCAL as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2941 Decided by a vote of 6-0 to: (1) find reason to believe that PATRIOT SUPER PAC, and FREILING, THOMAS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2942 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2943 Decided by a vote of 6-0 to: (1) find reason to believe that PRIORITIES FOR IOWA POLITICAL FUND, and SARA CRAIG as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2944 Decided by a vote of 6-0 to: (1) find reason to believe that PROGRESSIVE VOTERS OF AMERICA, and FIERMONTE, F. PHILIP as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2946 Decided by a vote of 6-0 to: (1) find reason to believe that SPINE PAC OF THE NATIONAL ASSOCIATION OF SPINE SPECIALISTS, and MUEHLBAUER, ERIC J. MR. as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2947 Decided by a vote of 6-0 to: (1) find reason to believe that STRATEGY PAC, and MALCZEWSKI, JAMES as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2948 Decided by a vote of 6-0 to: (1) find reason to believe that TAKEOVER SUPER PAC, and THOMAS FREILING as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2949 Decided by a vote of 6-0 to: (1) find reason to believe that TAXICAB LIMOUSINE & PARATRANSIT ASSOCIATION POLITICAL ACTION COMMITTEE (TLPA PAC), and ALFRED B LAGASSE III as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2951 Decided by a vote of 6-0 to: (1) find reason to believe that UNIVERSITY PUBLIC ISSUES COMMITTEE AKA UPIC, and PAUL T SCHULTZ as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

CONFIDENTIAL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 2, 2015

Robert Wayne Warther, in official capacity as Treasurer
Empower Citizens Network
1075 West Market Street
Akron, OH 44313

C00522821
AF#: 2932

Dear Mr. Warther:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year in which a regularly scheduled general election is held. This report, covering the period October 1, 2014 through November 24, 2014, shall be filed no later than December 4, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. 437g(a)(4)). On April 1, 2015, the FEC found that there is reason to believe ("RTB") that Empower Citizens Network and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) by failing to file timely this report on or before December 4, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$550. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$550 is due within forty (40) days of the finding, or by May 11, 2015, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$20,414
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 11, 2015. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Empower Citizens Network and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ann M. Ravel
Chair



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 JUN 23 PM 4:00

June 22, 2015

SENSITIVE

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickerall *KDR* *SP*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program –

Final Determination Recommendation for the
2014 30 Day Post-General Report (Unauthorized Quarterly Filers)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2014 30 Day Post-General Report (Unauthorized Quarterly Filers). The first list represents the committees that have paid the civil money penalty and the second list represents those committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, one (1) committee disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty and will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding. An overview of this case is provided below.

Empower Citizens Network (AF 2932) filed the 2014 30 Day Post-General Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$1,225 (previously calculated to be \$20,414), thus the fine would be lowered from \$550 to \$275.

In addition, one (1) committee detailed below designated a new Treasurer after the RTB finding:

- Deep Blue PAC (AF 2928) filed an Amended Statement of Organization after the RTB finding designating Margaret M. Infantino as Treasurer (see first list).

RAD Recommendation

- (2) Make a final determination that the political committees and their treasurers on the attached reports violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess the final civil money penalties so indicated.
 - (3) Send the appropriate letters.
-

Federal Election Commission
FD Circulation Report Fine Paid
2014 POST-GENERAL Not Election Sensitive 12/04/2014 UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2924	AMERICAN COMPOSITES MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE		C00388157	TOM DOBBINS	12/17/2014	13	\$8,500	0	04/01/2015	\$120	\$120	05/11/2015	\$120
2925	AMERICAN LIGHTING ASSOCIATION POLITICAL ACTION COMMITTEE		C00398800	RICHARD D. UPTON	01/12/2015	Not Filed	\$454	0	04/01/2015	\$275	\$275	04/24/2015	\$275
2926	AMERICAN POLITICAL ACTION COMMITTEE		C99002396	J.H. VERSNEL	01/06/2015	Not Filed	\$16,026	0	04/01/2015	\$550	\$550	04/14/2015	\$550
2927	CHIANG PATEL AND YERBY INC. PAC		C00420125	DAVID W. HAYS	12/23/2014	19	\$12,250	2	04/01/2015	\$307	\$307	04/20/2015	\$307
2928	DEEP BLUE PAC		C00455741	MARGARET M. INFANTINO	12/26/2014	22	\$59,990	0	04/01/2015	\$2,365	\$2,365	04/22/2015	\$2,365
2930	DUCHOSSAIS GROUP PAC		C00212308	MICHAEL E. FLANNERY	01/21/2015	Not Filed	\$1,768	0	04/01/2015	\$275	\$275	05/01/2015	\$275
2931	EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE		C00208249	LARRY JAY WILLIAMS	01/30/2015	Not Filed	\$9,850	0	04/01/2015	\$330	\$330	05/08/2015	\$330
2933	FISCAL LEADERSHIP AND KNOWING ECONOMICS PAC		C00432930	HIEU TRAN	12/10/2014	6	\$69,034	0	04/01/2015	\$885	\$885	05/13/2015	\$885
2935	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE		C00354613	MARTIN MASCUILLI	01/28/2015	Not Filed	\$14,773	2	04/01/2015	\$825	\$825	05/19/2015	\$825
2936	MEDICINAL CANNABIS SUPERPAC		C00534529	JOSEPH CHARLES HOUSTON		Not Filed	\$507 (est)	0	04/01/2015	\$275	\$275	05/12/2015	\$275
2937	MVP HEALTH CARE INC FEDERAL PAC		C00431429	JORDAN T. ESTEY	12/15/2014	11	\$7,089	0	04/01/2015	\$110	\$110	04/14/2015	\$110
2938	NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION POLITICAL ACTION COMMITTEE (NECAPAC)		C00113811	TRACI M. PICKUS	12/29/2014	25	\$73,667	0	04/01/2015	\$2,642	\$2,642	05/05/2015	\$2,642
2939	NORTH AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE		C00024281	PETE THOMSON	12/23/2014	19	\$4,379	0	04/01/2015	\$122	\$122	04/28/2015	\$122
2942	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		C00192849	MARK R. PERMAR	01/30/2015	Not Filed	\$16,087	1	04/01/2015	\$687	\$687	05/13/2015	\$687
2943	PRIORITIES FOR IOWA POLITICAL FUND		C00568170	SARA CRAIG	12/17/2014	13	\$253,980	0	04/01/2015	\$4,100	\$4,100	05/15/2015	\$4,100
2944	PROGRESSIVE VOTERS OF AMERICA		C00406553	F. PHILIP FIERMONTE	01/30/2015	Not Filed	\$40,189	0	04/01/2015	\$1,090	\$1,090	05/11/2015	\$1,090
2946	SPINE PAC OF THE NATIONAL ASSOCIATION OF SPINE SPECIALISTS		C00349225	ERIC J. MUEHLBAUER	01/07/2015	Not Filed	\$10,710	0	04/01/2015	\$550	\$550	04/21/2015	\$550
2947	STRATEGY PAC		C00497842	JAMES MALCZEWSKI	12/10/2014	6	\$58,787	0	04/01/2015	\$885	\$885	05/04/2015	\$885

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2949	TAXICAB LIMOUSINE & PARATRANSIT ASSOCIATION POLITICAL ACTION COMMITTEE (TLPA PAC)		C00132480	ALFRED B. LAGASSE III	12/29/2014	25	\$5,920	0	04/01/2015	\$180	\$180	04/27/2015	\$180
2951	UNIVERSITY PUBLIC ISSUES COMMITTEE AKA UPIC		C00404137	PAUL T SCHULTZ	12/19/2014	15	\$2,000	0	04/01/2015	\$102	\$102	04/10/2015	\$102
2952	USINPAC		C00381699	PURI, SANJAY K	01/15/2015	Not Filed	\$6,006	0	04/01/2015	\$330	\$330	05/04/2015	\$330

Federal Election Commission
 FD Circulation Report - Fine Not Paid
 2014 POST-GENERAL Not Election Sensitive 12/04/2014 UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2929	DEMOCRATIC FOUNDATION OF ORANGE COUNTY		C00176420	GLEN HATTON		Not Filed	\$42,187 (est)	0	04/01/2015	\$1,090	83	\$1,090
2932	EMPOWER CITIZENS NETWORK		C00522821	ROBERT WAYNE WARTHER	04/07/2015	Not Filed	\$1,225	0	04/01/2015	\$550	83	\$275
2940	OUR VOICES MATTER		C00568246	CHARLES PASCAL		Not Filed	\$100,037 (est)	0	04/01/2015	\$4,950	83	\$4,950
2941	PATRIOT SUPER PAC		C00509489	THOMAS FREILING		Not Filed	\$23,359 (est)	1	04/01/2015	\$687	83	\$687
2948	TAKEOVER SUPER PAC		C00555508	THOMAS FREILING	01/16/2015	Not Filed	\$1,986	0	04/01/2015	\$275	83	\$275

INT LONGSHOREMENS ASSOC (ILA) AF# 2935
LOCAL 1291 POLITICAL ACTION
COMMITTEE, and MARTIN MASCUILLI
as treasurer;
MEDICINAL CANNABIS SUPERPAC,) AF# 2936
and JOSEPH CHARLES HOUSTON as)
treasurer;)
MVP HEALTH CARE INC. FEDERAL) AF# 2937
PAC, and ESTEY, JORDAN T as treasurer;)
NATIONAL ELECTRICAL) AF# 2938
CONTRACTORS ASSOCIATION)
POLITICAL ACTION COMMITTEE)
(NECAPAC), and PICKUS, TRACI M.)
MRS. as treasurer;)
NORTH AMERICAN MEAT INSTITUTE) AF# 2939
POLITICAL ACTION COMMITTEE, and)
THOMSON, PETE MR. as treasurer;)
OUR VOICES MATTER, and CHARLES) AF# 2940
PASCAL as treasurer;)
PATRIOT SUPER PAC, and FREILING,) AF# 2941
THOMAS as treasurer;)
PLUMBERS AND PIPEFITTERS LOCAL) AF# 2942
UNION 74, and MR MARK R PERMAR as)
treasurer;)
PRIORITIES FOR IOWA POLITICAL) AF# 2943
FUND, and SARA CRAIG as treasurer;)
PROGRESSIVE VOTERS OF AMERICA,) AF# 2944
and FIERMONTE, F. PHILIP as treasurer;)
SPINE PAC OF THE NATIONAL) AF# 2946
ASSOCIATION OF SPINE SPECIALISTS,)
and MUEHLBAUER, ERIC J. MR. as)
treasurer;)
STRATEGY PAC, and MALCZEWSKI,) AF# 2947
JAMES as treasurer;)
TAKEOVER SUPER PAC, and THOMAS) AF# 2948
FREILING as treasurer;)
TAXICAB LIMOUSINE &) AF# 2949
PARATRANSIT ASSOCIATION)
POLITICAL ACTION COMMITTEE)
(TLPA PAC), and ALFRED B LAGASSE)
III as treasurer;)
UNIVERSITY PUBLIC ISSUES) AF# 2951
COMMITTEE AKA UPIC, and PAUL T)
SCHULTZ as treasurer;)

140004440

USINPAC, and PURI, SANJAY K as
treasurer;

AF# 2952

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 25, 2015 the Commission took the following actions on the Administrative Fine Program Final Determination Recommendation for the 2014 30 Day Post-General Report (Unauthorized Quarterly Filers) as recommended in the Reports Analysis Division's Memorandum dated June 22, 2015, on the following committees:

AF#2924 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN COMPOSITES MANUFACTURERS ASSOCIATION POLITICAL ACTION COMMITTEE, and TOM DOBBINS as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2925 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN LIGHTING ASSOCIATION POLITICAL ACTION COMMITTEE, and RICHARD D UPTON as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2926 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN POLITICAL ACTION COMMITTEE, and VERSNEL, J.H. as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

~~AF#2927 Decided by a vote of 6-0 to: (1) make a final determination that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated;~~

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(2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2928 Decided by a vote of 6-0 to: (1) make a final determination that DEEP BLUE PAC, and INFANTINO, MARGARET M as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2929 Decided by a vote of 6-0 to: (1) make a final determination that DEMOCRATIC FOUNDATION OF ORANGE COUNTY, and HATTON, GLEN as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2930 Decided by a vote of 6-0 to: (1) make a final determination that DUCHOSSOIS GROUP PAC, and FLANNERY, MICHAEL E. as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2931 Decided by a vote of 6-0 to: (1) make a final determination that EMPIRE DISTRICT ELECTRIC COMPANY POLITICAL ACTION COMMITTEE, and LARRY JAY WILLIAMS as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2932 Decided by a vote of 6-0 to: (1) make a final determination that EMPOWER CITIZENS NETWORK, and ROBERT WAYNE WARTHER as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2933 Decided by a vote of 6-0 to: (1) make a final determination that FISCAL LEADERSHIP AND KNOWING ECONOMICS PAC, and TRAN, HIEU as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

~~AF#2935 Decided by a vote of 6-0 to: (1) make a final determination that INT~~
LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION
COMMITTEE, and MARTIN MASCUILLI as treasurer , violated 52 U.S.C. 30104(a)
(formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send

the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2936 Decided by a vote of 6-0 to: (1) make a final determination that MEDICINAL CANNABIS SUPERPAC, and JOSEPH CHARLES HOUSTON as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2937 Decided by a vote of 6-0 to: (1) make a final determination that MVP HEALTH CARE INC. FEDERAL PAC, and ESTEY, JORDAN T as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2938 Decided by a vote of 6-0 to: (1) make a final determination that NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION POLITICAL ACTION COMMITTEE (NECAPAC), and PICKUS, TRACI M. MRS. as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2939 Decided by a vote of 6-0 to: (1) make a final determination that NORTH AMERICAN MEAT INSTITUTE POLITICAL ACTION COMMITTEE, and THOMSON, PETE MR. as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2940 Decided by a vote of 6-0 to: (1) make a final determination that OUR VOICES MATTER, and CHARLES PASCAL as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2941 Decided by a vote of 6-0 to: (1) make a final determination that PATRIOT SUPER PAC, and FREILING, THOMAS as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2942 Decided by a vote of 6-0 to: (1) make a final determination that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final

civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2943 Decided by a vote of 6-0 to: (1) make a final determination that PRIORITIES FOR IOWA POLITICAL FUND, and SARA CRAIG as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2944 Decided by a vote of 6-0 to: (1) make a final determination that PROGRESSIVE VOTERS OF AMERICA, and FIERMONTE, F. PHILIP as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2946 Decided by a vote of 6-0 to: (1) make a final determination that SPINE PAC OF THE NATIONAL ASSOCIATION OF SPINE SPECIALISTS, and MUEHLBAUER, ERIC J. MR. as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2947 Decided by a vote of 6-0 to: (1) make a final determination that STRATEGY PAC, and MALCZEWSKI, JAMES as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2948 Decided by a vote of 6-0 to: (1) make a final determination that TAKEOVER SUPER PAC, and THOMAS FREILING as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2949 Decided by a vote of 6-0 to: (1) make a final determination that TAXICAB LIMOUSINE & PARATRANSIT ASSOCIATION POLITICAL ACTION COMMITTEE (TLPA PAC), and ALFRED B LAGASSE III as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2951 Decided by a vote of 6-0 to: (1) make a final determination that UNIVERSITY PUBLIC ISSUES COMMITTEE AKA UPIC, and PAUL T SCHULTZ as treasurer , violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 2015

Robert Wayne Warther, in official capacity as Treasurer
Empower Citizens Network
1075 West Market Street
Akron, OH 44313

C00522821
AF#: 2932

Dear Mr. Warther:

On April 1, 2015, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Empower Citizens Network and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for filing late or failing to file the 2014 Post-General Report. By letter dated April 2, 2015, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$550 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2014 Post-General Report. The FEC made a final determination on June 25, 2015 that Empower Citizens Network and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$275 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$1,225

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 2 U.S.C. § 437g(a)(4)(C)(iii)). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,



Ann M. Ravel
Chair

CONFIDENTIAL

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$275 for the 2014 Post-General Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within thirty (30) days of receipt of this letter.

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Empower Citizens Network

FEC ID#: C00522821

AF#: 2932

PAYMENT AMOUNT DUE: \$275

